

BEFORE THE  
POSTAL REGULATORY COMMISSION  
WASHINGTON, D.C. 20268-0001

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Post Office Structure Plan (POStPlan)

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Docket No. N2012-2

REPLY BRIEF OF THE  
AMERICAN POSTAL WORKERS UNION, AFL-CIO [Revised]  
(July 30, 2012)

The American Postal Workers Union, AFL-CIO (APWU) hereby submits its Reply Brief in Docket No. N2012-2. We file this Reply Brief to respond to the Postal Service's characterization of the POSTPLAN as an alternative to discontinuation of post offices; the apparent automatic launch of discontinuance studies based on survey responses where 60% of which indicate discontinuance; to provide initial concerns about the draft survey; and to urge the Commission to provide a robust Advisory Opinion that thoroughly examines the Postal Service's proposal and recommends improvements.

**I. It Is Not Clear that the POSTPLAN Is an Alternative to Discontinuance**

POStPlan is not "an alternative to the discontinuance study process." (USPS Initial Brf. at 14.) In N2011-1 APWU proposed that the Postal Service consider and evaluate a reduction in hours as a first alternative whenever the Postal Service conducted a discontinuance study. However, the POSTPLAN is something quite different and the APWU believes the Postal Service characterization of POSTPLAN is incomplete. Under the plan, hours are reduced for thousands of offices regardless of whether the Postal Service would otherwise or independently discontinue the office.

Despite a predetermined hour reduction for each office, discontinuance is always on the table both in the initial application of POStPlan and throughout subsequent years during which operating hours will be continually examined. Whether there will be fewer closures under POStPlan as compared with the experience of the last two years will depend upon how the Postal Service implements the plan.

## **II. 60% of Surveys Returned Does Not By Itself Confirm a Strong Community Preference**

As set out below, certain aspects of the POStPlan described by the Postal Service in its Initial Brief, namely the way in which it intends to measure a community's preference for discontinuance and the new limits it places on mitigating its reduction of window hours, contribute to a plan that is not consistent with or in furtherance of the policies of Title 39. As detailed in its Initial Brief, the APWU again urges the Commission to provide a robust Advisory Opinion thoroughly examining the Postal Service's plans and recommending the components set out in the APWU's Initial Brief. It is critical to appreciate that POStPlan is a program that can directly result in the discontinuance of rural post offices.

The Postal Service plans to move a POStPlan post office into the discontinuance process if "sixty percent of returned [community] questionnaires indicate a preference for discontinuance study." (USPS Initial Brf. at 5 (emphasis added).) At the hearing and in its brief, the Postal Service was ambivalent about the community meeting process and unclear about the survey process. The Postal Service has neither explained nor substantiated the steps it will take to ensure that it maximizes the number of questionnaires returned or that the questionnaires alone give a sufficient basis for assessing community preference. Without that assurance,

the POStPlan could result in post offices being discontinued on the mistaken impression that the community has a “strong preference” for discontinuance. For example, suppose 500 questionnaires are mailed and otherwise distributed, and 100 are returned. Sixty responses for discontinuance or 12% of the community would lead to a discontinuance study of that post office. In such a situation, no one should jump to the conclusion that there exists a strong community preference for closure. APWU is particularly concerned because this will not be a random survey, nor will the responses in the returned surveys give the Postal Service any way to weight responses against the demographics of the community to determine if returned surveys are likely representative of the community served by the post office. As commented below, APWU is also concerned that the current design of the survey will lead to confusion. Unless the survey is pretested and improved; the survey will likely lead to wrong conclusions.

Elsewhere in the record, the Postal Service says the survey results will be discussed at a community meeting.<sup>1</sup> This is an important step that could add information about community preferences. In coming to any judgment of community preferences, the Postal Service should consider the response rate in addition to the results of a well-conducted survey, along with the reaction of customers at the public meeting, or customer comments delivered to USPS in other ways; and the views expressed by local politicians who often do a good job of reflecting the preferences of the community they represent. The Postal Service is obligated to at least offer evidence of a reasonable

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<sup>1</sup> “The Postal Service will review the surveys and the operational needs of the Postal Service to determine whether a Post Office will continue with realigned window service hours. The Postal Service will then hold a community meeting to discuss the results of the survey.” USPS-T-1 pp 17-18; see also Response to POIR 1, Q6, Tr 91; Tr 237, lines 3 – 13

business analysis that its questionnaires and the survey process will solicit an accurate reflection of community preferences.

### **III. Comments On Draft Survey**

The APWU may provide additional comments on late filed materials as permitted by Presiding Officer's Ruling N2012-2/8. However, APWU has some initial concerns.

#### **A. The Survey Wording is Confusing and Potentially Misleading**

The descriptions of options are not clear. In particular APWU is concerned about the wording of Alternative 2

2. [ ] Discontinue the office and offer curbside delivery. Retail and delivery service would be provided through a rural carrier. Mail delivery points will be established and customers can purchase most postal services through the carrier or other alternate access points.

Library Reference USPS-LR-N2012-2/11 - Summary Spreadsheet - Updated – filed July 19 shows 4,409 offices (2,4,6 hours) with 6,628 rural carrier routes delivering to 2,169,368 addresses, and 2,275 offices (2,4,6 hours) with 3,022 contract routes delivering to 365,038 addresses. USPS-LR-N2012-2/11 does not show the number of E-boxes. Where there are no E-boxes; the offer of curbside delivery means nothing. It might cause confusion. A respondent – already getting curbside delivery and pleased with the service might check the box believing that retention of curbside delivery requires selecting box 2. On the other hand, if USPS is suggesting to its current box holders that they could get delivery to a street address rather than keep the post office box; that option should be clear. It could, for example, say that people receiving curbside delivery today will continue to receive the service regardless of whether the

office remains open or closes; but if the office closes, box holders will have the option of curbside delivery and/or a post office box at a neighboring post office. The current wording might erroneously increase check marks in box 2. This confusion demonstrates that the survey should be tested to determine how customers understand the alternatives, and to determine whether the responses provided matches what people really intend.<sup>2</sup>

### **B. The Survey Instruction to Select Only One Option is too Restrictive**

In combination with the instruction to select only one of four options, alternative 3 forces someone interested in the Postal Service exploring alternatives to choose between the exploration and the other options. A respondent selecting alternative 3 does not get to weigh in on whether the office stays open or closes. Both alternatives 1 and 2 in combination with 3 should be possible under POStPlan. The office could stay open and alternative locations could be contracted to supplement the office. The office might also close, in part, because of alternative locations are contracted. Someone selecting alternative 3 ought to be able to weigh in on either alternative 1 or 2 as well.

Alternative 4 also tags along with alternative 2. It is standard procedure in a discontinuance to provide post office box service at nearby post offices, and, where it can be accommodated to retain the post office box address. A respondent might think, however, that checking alternative 4 means discontinuance of the post office. If alternative 4 is not a vote for discontinuing, the person choosing alternative 4 should

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<sup>2</sup> APWU notes that the options described in Figure 8, p 20, USPS-T-1 are more clearly described as compared with the questionnaire. APWU is not suggesting that those options or that wording are the most appropriate for the questionnaire; but it is an indication that options could be better worded.

also be able to choose between alternatives 1 and 2. And if the Postal Service considers selection of alternative 4 to be a preference for closure its intent needs to be clear on the face of the survey.

### **C. Part III – Retail Window Hours Should Be Improved**

As to Part III, window service hours, the Postal Service should be able to adapt the survey to local knowledge. If the Postal Service knows that “box up” time will not change regardless of the window hours (for example, an employee both delivers and boxes the mail at the same time every day), the survey should say so. If the Postal Service knows that the “box up” time will approximate the start of window hours selected, it should say so.

Finally, the survey should provide space for free-form comment. For example, there might be interest in split hours, or for later or longer hours, or for rotating hours during the course of week. Whether or not POStPlan can accommodate such requests, it nonetheless gives the Postal Service a better idea of the community’s needs and preferences – and on a case-by-case – basis the Postal Service may find and want ways to accommodate such preferences.

### **D. The Survey Needs to Be Pre-tested and Appropriately Revised**

If the survey had been introduced earlier and based on the design of the current draft, APWU would have attempted to engage an expert to test and critique the survey making suggestions for improvement. That is not possible given the late introduction of the survey by the Postal Service after the end of discovery and rebuttal opportunities. Clearly this instrument should be pre-tested and revised as necessary to make sure that

the survey allows respondents to inform and the Postal Service to understand the community's actual preferences.

#### **IV. Conclusion**

For the foregoing reasons and those set forth in the APWU's Initial Brief, the Commission should make findings and recommendations in its Advisory Opinion consistent with the policies of Title 39 protecting and preserving rural postal services.

Respectfully submitted,

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